

Notice of Allowability

Application No.

10/077,954

Examiner

THUY V. TRAN

Applicant(s)

HORIUCHI ET AL.

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 4/20/2004.
2. ☒ The allowed claim(s) is/are 1-9 and 31.
3. ☒ The drawings filed on 02/20/02 and replacement sheet 4/20/04 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/270,004.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/20/02 & 3/22/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


THUY V. TRAN
Examiner
Art Unit: 2821

DETAILED ACTION

This is a response to the Applicants' amendment submitted on April 20th, 2004. In virtue of this amendment, claims 10-30 have been canceled; and thus, claims 1-9 and 31 are now presented in the instant application.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This amendment is made for the purpose of correcting a typographical error in claim 1 for improvement of antecedent basis. It includes:

Claim 1:

Line 5, change "the" to --an--.

Allowable Subject Matter

2. Claims 1-9 and 31 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or fairly suggest a discharge lamp wherein a ratio intensity of an emission spectrum of hydrogen, oxygen and their compounds, which are present in the light emitting portion, to an intensity of a main light emitting spectrum of the noble gas is, respectively, 1/1000 or less when the noble gas is discharged by supplying a current of 3 mA to the electrodes in the light emitting portion, and a content of OH groups included in the quartz

Art Unit: 2821

glass of the sealing portions is 5 ppm or less by weight, in combination with the remaining claimed limitations as called for in independent claim 1 (claims 2-9 and 31 are allowed since they are dependent on claim 1).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of relevant prior art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Horiuchi et al. (U.S. Patent No. 6,132,279) discloses a high pressure discharge lamp.

Prior art Russell et al. (U.S. Patent No. 5,212,424) discloses a metal halide discharge lamp.

Remarks

5. The Applicants are noted that all the U.S. patent documents included in the submitted PTO-1449 dated 02/20/2002 and 03/22/2002 were already considered (see Paper No. 1122004) and that only the foreign patent documents included therein are considered by the Examiner at this time.

Art Unit: 2821

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY V. TRAN whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DON WONG can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

THUY V. TRAN
Examiner
Art Unit 2821

T.T.
05/30/2004

